

AUG 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ELLIS

Appln. No. 09/763,024

Filed: March 20, 2001

Confirmation No.: 2645

Atty. Ref.: 1430-263

T.C. / Art Unit: 1642

Examiner: L.R. Helms

FOR: GRIP HUMAN ADAPTER PROTEIN RELATED TO THE GRB2 FAMILY MEMBER

RESPONSE TO RESTRICTION REQUIREMENT

August 5, 2004

Mail Stop Amendment

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the pending Office Action (Paper No. 20040505) mailed May 7, 2004, entry and consideration of the following amendments and remarks are respectfully requested.

The claims are presented on pages 2-3.

Claims 1-13 are canceled without prejudice or disclaimer.

Claims 14-20 are added.

Remarks begin on page 4.

1/17/2004 GDUCKETT 00000004 141140 09763024

1 FC:1252 420.00 DA

Adjustment date: 10/25/2004 SDIRETA1
08/17/2004 GDUCKETT 00000004 141140 09763024
01 FC:1252 420.00 CR

865884



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1100 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22201-4714

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NIXON & VANDERHYP, P.C.

ATTORNEYS AT LAW

September 14, 2004

Dep. & Ref. Rm 307
PATENT DIVISION

2004 SEP 17 AM 10:32

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WRITER'S DIRECT DIAL NUMBER:
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Subject: **REQUEST FOR REFUND TO DEPOSIT ACCOUNT**
Deposit Account No. 14-1140
Statement Date: August 2004
Date Posted: August 17, 2004
Control No.: 4
Fee Code: 1252
Our Ref.: 1430-263

Dear Sir:

Regarding the Monthly Statement of Deposit Account dated August 31, 2004 (copy attached), there is an error which is indicated and has resulted in a charge to our Deposit Account. This charge is unwarranted for the following reason:

An Office Action mailed May 7, 2004 set a shortened statutory period for reply of three (3) months from the mailing date (copy attached), which makes the reply due August 7, 2004. A response to the Office Action was filed on August 5, 2004. Attached is a copy of the stamped PTO card receipt showing that the response was filed before the due date of August 7, 2004. Therefore, no extension of time was required when the response was filed.

Please issue a refund as soon as possible. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely yours,

NIXON & VANDERHYP, P.C.

By: 

Gary R. Tanigawa

Enclosures

601118

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08/19 229	10296968	265-574 FPP	8021	\$40.00	\$23,858.98
08/20 8	10774492	829-621 JSP	1806	\$180.00	\$23,678.98
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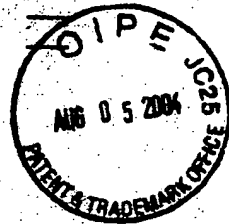
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Serial No.: 09/783,024 C#/M#: 1430-263
Inventor: ELLIS Atty: Gary R. Tanigawa
Title: GRIP, HUMAN ADAPTER PROTEIN RELATED TO
THE GRB2 FAMILY MEMBER Date: August 5, 2004

RESPONSE TO RESTRICTION REQUIREMENT

\$ Total Fee

Other: INFORMATION DISCLOSURE STATEMENT, PTO
FORM-1449 AND REFERENCE



6RT
1430-263



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,024	03/20/2001	Jonathan Henry Ellis	1430-263	2645

7590 05/07/2004

Nixon & Vanderhye
1100 North Glebe Road 8th Floor
Arlington, VA 22201-4714

EXAMINER

HELMS, LARRY RONALD

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 05/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

SEP 14 2004

Application No.

09/763,024

Applicant(s)

ELLIS, JONATHAN HENRY

Examiner

Larry R. Helms

Art Unit

1642

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

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- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-13 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____